

United States Court of Appeals
For the Eighth Circuit

No. 14-3310

Jesse Claude Tiedeman

Plaintiff - Appellant

v.

Douglas L. Weber, Director of Prison Operations at South Dakota State Penitentiary; Troy Ponto, Assoc. Warden; Clifton Fantroy, Unit Manager; Jennie Peterson, Unit Coordinator; Heather Veld, Case Manager; Linda Miller-Hunhoff, Mailroom Supervisor; Kayla Stekelberg, Unit Coordinator; Mike Holmes, License Plates Supervisor; Steve Linniweber, Corrections Officer; Thomas Linniweber, Corrections Officer

Defendants - Appellees

Appeal from United States District Court
for the District of South Dakota - Sioux Falls

Submitted: June 16, 2015

Filed: June 23, 2015

[Unpublished]

Before SHEPHERD, BYE, and KELLY, Circuit Judges.

PER CURIAM.

Jesse Tiedeman appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action asserting access-to-courts and conspiracy claims. Upon careful de novo review, see Peterson v. Kopp, 754 F.3d 594, 598 (8th Cir. 2014) (standard of review), we conclude that the district court's summary judgment decision was proper, see Hartsfield v. Nichols, 511 F.3d 826, 831-32 (8th Cir. 2008) (access-to-courts claim must be supported by showing of actual injury; discussing actual-injury requirement); see also Burton v. St. Louis Bd. of Police Comm'rs, 731 F.3d 784, 798 (8th Cir. 2013) (plaintiff alleging conspiracy under § 1983 must show that he was deprived of constitutional right or privilege). In addition, we decline to consider claims that Tiedeman has asserted for the first time on appeal. See Topchian v. JPMorgan Chase Bank, N.A., 760 F.3d 843, 849 (8th Cir. 2014) (appellate court does not address legal or factual claims presented for first time on appeal).

Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Karen E. Schreier, United States District Judge for the District of South Dakota.